UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,323	01/11/2002	Takashi Okazawa	03500.016101.	4441

5514 7590 10/04/2007

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER	
RODRIGUEZ, LENNIN R	
ART UNIT	PAPER NUMBER
2625	
MAIL DATE	DELIVERY MODE
10/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/042,323	OKAZAWA, TAKASHI	
	Examiner	Art Unit	
	Lennin R. Rodriguez	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,5,16-22,26,37-43,46 and 49-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5,16-22,26,37-43,46 and 49-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 January 2002 and 26 April 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. 9/28/07
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 12-13, filed on 09/25/2007, with respect to the rejection(s) of claim(s) 1, 22, 43 and 46 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Regarding claim 1 examiner agrees that cited prior art Yuichi (JP 2000-259583) fails to teach by itself "sending data onto a network for enabling a browsing software to display a list of a plurality of languages that are selectable in the apparatus and from which the user can select a language to be used in the list". In response a new rejection based on 35 U.S.C. 103(a) is provided.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 5, 16-22, 26, 37-43, 46, and 49-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuichi (JP 2000-259583).

(1) regarding claims 1, 22, 43 and 46:

Yuichi '583 discloses a communication controller (Network Management System in Fig. 3) for controlling communication between an apparatus (460 in fig. 3) and a network (drawing 3), comprising:

a data sending unit (detail description, paragraph, 0011, NSM);

a receiving unit (detail description, paragraph, 0011, language selection means 350);

an obtaining unit that obtains information concerning that apparatus (detail description, paragraph, 0011, notice means 370 acquire the trouble ticket);

a message creating unit that creates message to be send, based on the information obtained by said obtaining unit, in the language indicated by the data received by said receiving unit (detail description, paragraph, 0011, failure creation means 330); and

a sending unit that sends the message created by said message creating unit onto the network (detail description, paragraph, 0011, message system server means 300 send out message to help desk).

Yuichi '583 discloses all the subject matter as described above except specifically teaching that the sending unit sends, onto the network, data for enabling a browsing software to display a list of a plurality of languages which are selectable in the communication controller so as to allow a user to select a language from the list to be used in a message to be sent and that the receiving unit receives, from the network, languages data indicating a language selected by the user from the list.

However, Yuichi does teaches the communication controller requires user information such as what language the user is using and the communication controller using the user information to select a language to be post to the user (paragraph [0006] and [0011])

Since the users are spread throughout the world, the most logically conclusion is to have the user send the information from the client computer instead of flying 20 hours or more to the communication controller to key in his information.

It is well known in the art that, when one party A requesting information from another party B, party A would send information to party B such that the user can review the information from party A in a browser and select an answer from a list of questions post to party B and send the response back to party A (official notice).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the sending unit sends, onto the network, data for enabling a browsing software to display a list of a plurality of languages which are selectable in the communication controller so as to allow a user to select a language from the list to be used in a message to be sent and that the receiving unit receives, from the network, languages data indicating a language selected by the user from the list as taught by Yuichi prior art in the system of Yuichi. This advantages will allow a continuous communication with the client even though they could be located thousand of miles away, beside will assure that if a machine has a failure and the system that needs to report the failure is down the user will be able to select the language in which to make the report to be sent to the respective native countries.

(2) regarding claims 5 and 26:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said data sending unit sends data for enabling the browser software to display a screen on which the user can select the language from the list and can enter a

destination of the message, wherein said receiving unit receives destination data indicating the destination entered by the user, and wherein said sending unit sends the message created by said message creating unit to the destination indicated by the destination data received by said receiving unit (detail description, paragraphs, 0011-23 and 37, see figs. 4 and 5).

(3) regarding claims 16 and 37:

Yuichi '583 further discloses the communication controller according to claim 1, further comprising: a controlling unit that determines a state of the apparatus based on information indicating the state of the apparatus (detail description, paragraph 13) and that controls a message sending process by said sending unit in accordance with the result of the determination (detail description, paragraph 28).

(4) regarding claims 17 and 38:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said message creating unit determines a state of the apparatus based on information indicating the state of the apparatus (detail description, paragraph 13) and creates contents of the message in accordance with the result of the determination (detail description, paragraph 28).

(5) regarding claims 18 and 39:

Yuichi '583 further discloses the communication controller according to claim 1, further comprising: a controlling unit that determines a state of the apparatus based on information indicating the state of the apparatus and that controls a message sending process by said sending unit in accordance with set values indicating conditions for

sending a message and the result of the determination (detail description, paragraphs 33 and 39).

(6) regarding claims 19 and 40:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said message creating unit determines a state of the apparatus based on information indicating the state of the apparatus and creates contents of the message in accordance with set values indicating conditions for sending a message and the result of the determination (detail description, paragraph 33 and 41, user information (set value)).

(7) regarding claims 20 and 41:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said message creating unit inserts a sentence prepared in advance into the message based on the information obtained by said obtaining unit (detail description, paragraphs 40-41).

(8) regarding claim 21:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said controller is a network board mounted on the apparatus (fig. 5, inherent that network controller or any type of controller can be mounted as a piece of hardware in apparatus 300 in fig. 5).

(9) regarding claim 42:

Yuichi '583 further discloses wherein said apparatus is a printer, a copying machine or a FAX machine (460 in fig. 3).

(9) regarding claims 49 and 53:

Yuichi '583 further discloses the communication controller according to claim 1, the communication controller according to claim 1, wherein the message is an e-mail message (detail description, paragraph 28).

(10) regarding claims 50 and 54:

Yuichi '583 further discloses the communication controller according to claim 1, wherein the browsing software is a web browser and the data sent by said data sending unit is described in Hyper-Text Markup Language (detail description, paragraphs 15, 37 and 40, since the message is generated/created between the client and the server, it is implicit that HTTP is used since it is defined as a set of instructions made by a computer program that enables your computer to connect to an Internet document).

(11) regarding claims 51 and 55:

Yuichi '583 further discloses the communication controller according to claim 5, further comprising: a storing unit that stores information indication a Plurality of combinations of the language and the destination; and a language determining unit that determines the language to be used in the message to be sent based on the information stored by said storing unit, wherein said message creating unit creates the message in the language determined by said language determining unit (detail description, paragraphs, 27-37).

(12) regarding claims 52 and 56:

Yuichi '583 further discloses the communication controller according to claim 1, wherein said data sending unit sends data for enabling the browsing software to display

a screen on which the user can select the language from the list, enter a destination of the message, and select a condition from a list of a plurality of conditions on which the message is to be sent, wherein said receiving unit receives the language data, destination data indicating the destination entered by the user, and condition data indicating a condition selected by the user, wherein said sending unit sends the message created by said message creating unit to the destination indicated by said obtaining unit satisfies the condition indicated by the condition data received by said receiving unit (detail description, paragraphs, 27-37).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lennin Rodriguez
9/29/07

KING Y. POON
SUPERVISORY PATENT EXAMINER